

## § 3000.12

(ii) If the fee you would pay under this paragraph (b)(4) is less than BLM's actual costs as a result of consideration of the FLPMA Section 304(b) factors, and we are not able to process your document promptly because of the unavailability of funding or other resources, you will have the option to pay BLM's actual costs to process your document. This will enable BLM to process your document sooner.

(iii) Once processing is complete, we will refund to you any money that we did not spend on processing costs.

(5)(i) We will periodically estimate what our reasonable processing costs will be for a specific period and will bill you for that period. Payment is due to BLM 30 days after you receive your bill. BLM will stop processing your document if you do not pay the bill by the date payment is due.

(ii) If a periodic payment turns out to be more or less than BLM's reasonable processing costs for the period, we will adjust the next billing accordingly or make a refund. Do not deduct any amount from a payment without our prior written approval.

(6) You must pay the entire fee before we will issue the final document.

(7) You may appeal BLM's estimated processing costs in accordance with the regulations in part 4, subpart E, of this title. You may also appeal any determination BLM makes under paragraph (a) of this section that a document designated for a fixed fee will be processed as a case-by-case fee. We will not process the document further until the appeal is resolved, in accordance with paragraph (b)(5)(i) of this section, unless you pay the fee under protest while the appeal is pending. If the appeal results in a decision changing the proposed fee, we will adjust the fee in accordance with paragraph (b)(5)(ii) of this section.

[70 FR 58872, Oct. 7, 2005]

### § 3000.12 What is the fee schedule for fixed fees?

(a) The table in this section shows the fixed fees that you must pay to BLM for the services listed for Fiscal Year 2009. These fees are nonrefundable and must be included with documents you file under this chapter. Fees will be adjusted annually according to the

## 43 CFR Ch. II (10–1–08 Edition)

change in the Implicit Price Deflator for Gross Domestic Product (IPD-GDP) by way of publication of a final rule in the FEDERAL REGISTER, and will subsequently be posted on the BLM Web site (<http://www.blm.gov>) before October 1 each year. Revised fees are effective each year on October 1.

FY 2009 PROCESSING AND FILING FEE TABLE

Document/action	FY 2009 fee
Oil & Gas (parts 3100, 3110, 3120, 3130, 3150):	
Noncompetitive lease application .....	\$365
Competitive lease application .....	140
Assignment and transfer of record title or operating rights .....	80
Overriding royalty transfer, payment out of production .....	10
Name change, corporate merger or transfer to heir/devisee .....	190
Lease consolidation .....	405
Lease renewal or exchange .....	365
Lease reinstatement, Class I .....	70
Leasing under right-of-way .....	365
Geophysical exploration permit application—Alaska .....	25
Renewal of exploration permit—Alaska .....	25
Geothermal (part 3200):	
Noncompetitive lease application .....	365
Competitive lease application .....	140
Assignment and transfer of record title or operating rights .....	80
Name change, corporate merger or transfer to heir/devisee .....	190
Lease consolidation .....	405
Lease reinstatement .....	70
Nomination of lands .....	10
plus per acre nomination fee .....	0.10
Site license application .....	55
Assignment or transfer of site license .....	55
Coal (parts 3400, 3470):	
License to mine application .....	10
Exploration license application .....	300
Lease or lease interest transfer .....	60
Leasing of Solid Minerals Other Than Coal and Oil Shale (parts 3500, 3580):	
Applications other than those listed below	35
Prospecting permit application amendment	60
Extension of prospecting permit .....	100
Lease modification or fringe acreage lease	25
Lease renewal .....	470
Assignment, sublease, or transfer of operating rights .....	25
Transfer of overriding royalty .....	25
Use permit .....	25
Shasta and Trinity hardrock mineral lease	25
Renewal of existing sand and gravel lease in Nevada .....	25
Multiple Use; Mining (part 3730):	
Notice of protest of placer mining operations .....	10
Mining Law Administration (parts 3800, 3810, 3830, 3850, 3860, 3870):	
Application to open lands to location .....	10
Notice of location* .....	15
Amendment of location .....	10
Transfer of mining claim/site .....	10
Recording an annual FLPMA filing .....	10
Deferment of assessment work .....	100

**Bureau of Land Management, Interior****Pt. 3100****FY 2009 PROCESSING AND FILING FEE TABLE—  
Continued**

Document/action	FY 2009 fee
Recording a notice of intent to locate mining claims on Stockraising Homestead Act lands .....	25
Mineral patent adjudication .....	2,760 (more than 10 claims) 1,380 (10 or fewer claims)
Adverse claim .....	100
Protest .....	60

\*To record a mining claim or site location, you must pay this processing fee along with the initial maintenance fee and the one-time location fee required by statute. (43 CFR part 3833).

(b) The amount of a fixed fee is not subject to appeal to the Interior Board of Land Appeals pursuant to part 4, subpart E, of this title.

[70 FR 58873, Oct. 7, 2005, as amended at 72 FR 24400, May 2, 2007; 72 FR 50886, Sept. 5, 2007; 73 FR 54720, Sept. 23, 2008]

**PART 3100—OIL AND GAS LEASING****Subpart 3100—Oil and Gas Leasing:  
General**

Sec.

- 3100.0-3 Authority.
- 3100.0-5 Definitions.
- 3100.0-9 Information collection.
- 3100.1 Helium.
- 3100.2 Drainage.
- 3100.2-1 Compensation for drainage.
- 3100.2-2 Drilling and production or payment of compensatory royalty.
- 3100.3 Options.
- 3100.3-1 Enforceability.
- 3100.3-2 Effect of option on acreage.
- 3100.3-3 Option statements.
- 3100.4 Public availability of information.

**Subpart 3101—Issuance of Leases**

- 3101.1 Lease terms and conditions.
- 3101.1-1 Lease form.
- 3101.1-2 Surface use rights.
- 3101.1-3 Stipulations and information notices.
- 3101.1-4 Modification or waiver of lease terms and stipulations.
- 3101.2 Acreage limitations.
- 3101.2-1 Public domain lands.
- 3101.2-2 Acquired lands.
- 3101.2-3 Excepted acreage.
- 3101.2-4 Excess acreage.
- 3101.2-5 Computation.
- 3101.2-6 Showing required.
- 3101.3 Leases within unit areas.
- 3101.3-1 Joinder evidence required.
- 3101.3-2 Separate leases to issue.

3101.4 Lands covered by application to close lands to mineral leasing.

3101.5 National Wildlife Refuge System lands.

3101.5-1 Wildlife refuge lands.

3101.5-2 Coordination lands.

3101.5-3 Alaska wildlife areas.

3101.5-4 Stipulations.

3101.6 Recreation and public purposes lands.

3101.7 Federal lands administered by an agency outside of the Department of the Interior.

3101.7-1 General requirements.

3101.7-2 Action by the Bureau of Land Management.

3101.7-3 Appeals.

3101.8 State's or charitable organization's ownership of surface overlying Federally-owned minerals.

**Subpart 3102—Qualifications of Lessees**

3102.1 Who may hold leases.

3102.2 Aliens.

3102.3 Minors.

3102.4 Signature.

3102.5 Compliance, certification of compliance and evidence.

3102.5-1 Compliance.

3102.5-2 Certification of compliance.

3102.5-3 Evidence of compliance.

**Subpart 3103—Fees, Rentals and Royalty**

3103.1 Payments.

3103.1-1 Form of remittance.

3103.1-2 Where submitted.

3103.2 Rentals.

3103.2-1 Rental requirements.

3103.2-2 Annual rental payments.

3103.3 Royalties.

3103.3-1 Royalty on production.

3103.3-2 Minimum royalties.

3103.4 Production incentives.

3103.4-1 Royalty reductions.

3103.4-2 Stripper well royalty reductions.

3103.4-3 Heavy oil royalty reductions.

3103.4-4 Suspension of operations and/or production.

**Subpart 3104—Bonds**

3104.1 Bond obligations.

3104.2 Lease bond.

3104.3 Statewide and nationwide bonds.

3104.4 Unit operator's bond.

3104.5 Increased amount of bonds.

3104.6 Where filed and number of copies.

3104.7 Default.

3104.8 Termination of period of liability.

**Subpart 3105—Cooperative Conservation  
Provisions**

3105.1 Cooperative or unit agreement.

3105.2 Communitization or drilling agreements.

3105.2-1 Where filed.